

REMEDATION AND REDEVELOPMENT (RR) NEWS FROM WISCONSIN DNR

November 24, 2004

DNR JOB OPENING - FINANCIAL ASSISTANCE SPECIALIST

The RR Program is looking for a financial specialist to work in a full-time project position in our Madison office, helping with brownfield grants and loans. Applications are due on **Friday, December 3rd**. Responsibilities include financial management, record-keeping, application review and selection, reimbursement, program administration and public outreach and education. The individual selected must be a Wisconsin resident. This position is federally funded until November 1, 2005, with the ability to extend it as more funding becomes available. For more information and a detailed job description, please see <http://dnr.wi.gov/org/aw/rr/general/jobs.htm>

BOARD AUTHORIZES PUBLIC HEARINGS ON DRY CLEANER RULE

The Natural Resources Board has authorized public hearings on revisions to administrative rule NR 169, the Dry Cleaner Environmental Repair Fund (DERF). This rule outlines procedures to obtain reimbursement for the costs of site investigations and cleanups at eligible sites. The revisions include the new statutory deadline for participation of August 30, 2008. The revisions also would allow for partial reimbursements if site investigation costs exceed \$45,000 and establish allocation of funds based on environmental priority (25% high priority, 60% medium priority, 15% low priority). Public hearings will be held through video conferences on **Wednesday, December 15 at 10:00 a.m.** at the following locations:

- Eau Claire, Room 139 State Office Building, 718 W. Clairemont Ave.
- Green Bay, Room 618, State Office Building, 200 N. Jefferson St.
- Madison, Room 227, UW Extension-Pyle Center, 702 Langdon St.
- Milwaukee, Room 98, State Office Building, 819 N. 6th St.
- Rhinelander, Room 3, DNR North Central Hdqrs., 107 Sutliff Ave.

DNR is accepting public comments until **December 31, 2004**. Written comments may be mailed to Theresa Evanson, DNR, 101 S. Webster St., P.O. Box 7921, Madison, WI 53707. For information about the proposed changes, including the background memo and the proposed rule language, please see

<https://apps4.dhfs.state.wi.us/admrules/public/Rmo?nRmold=258> You may also submit public comments through email by using the above web link. For background on the DERF Program, please see <http://dnr.wi.gov/org/aw/rr/financial/dryclean.html>

EPA GRANT APPLICATIONS SUBMITTED

DNR, the Redevelopment Authority of the City of Milwaukee and the 30th Street Industrial Corridor Coalition have formed a partnership to assist with redevelopment in one of the state's most economically and environmentally distressed areas, Milwaukee's 30th Street industrial corridor. This area's 230 brownfields threaten public health, the environment and impose blight. The partnership has submitted two grant applications for EPA's brownfields environmental assessment funds, totaling \$400,000 for environmental investigation of tax delinquent, vacant, and dilapidated properties in the corridor. For more information about this application, please see the 11/16/04 item on our "What's New" web page at

http://dnr.wi.gov/org/aw/rr/general/whats_new.htm or contact Percy Mather at 608-266-9263 or percy.mather@dnr.state.wi.us.

NEW ON THE WEB – MODEL LETTER TO NEIGHBORING PROPERTIES

We've updated our web site to include the model notification letter for parties affected by residual contamination, in Appendix A of chapter NR 726 (case closure). A notification to persons affected by residual contamination, i.e. impacted neighbors, is required prior to making a case closure request. On occasion, the person who owns the property where the contamination originated is not the same person that is cleaning it up. In that case, the owner of the contaminant "source property" also needs to be notified. When this happens, the letter should be modified by deleting the paragraph about the off-site liability exemption, which does not apply to owners of the source property. This letter can also be modified to alert other interested or affected parties (e.g. land contract arrangements) of the residual soil contamination. The template letter is on our Cleanup Rules & Laws web page, under NR 700 Administrative Rules, at

http://dnr.wi.gov/org/aw/rr/wi_regs/index.htm#admrule

It is also on our Resources for Environmental Professionals page, under Frequently Used Case Closure Information, at

http://dnr.wi.gov/org/aw/rr/technical/index.htm#cc_info

WHEN DOES SOIL CONTAMINATION GO ON THE GIS REGISTRY?

Rule changes that expanded DNR's GIS Registry of Closed Remediation Sites to include sites with residual soil contamination, in addition to those with groundwater contamination, became effective on August 1, 2002. DNR still receives some questions about which sites with residual soil contamination need to be included on the Registry, which is our public notification of residual contamination at approved cleanups. For example, some have asked if soil contamination that is deeper than four feet that is not affecting groundwater must be included. The answer is yes. If a site is on the Registry for soil contamination it means that no further cleanup is required, but that contaminated soil may need to be treated or disposed of if it is excavated in the future.

Sites that must be added to the GIS Registry include those where soil standards exceed NR 720 standards, whether the standards applied were generic standards (s. NR 720.09, NR 720.11) or site specific standards developed under s. NR 720.19. This covers both the pathway to groundwater and the direct contact pathway, regardless of the depth of the soil contamination. The Registry includes all affected properties - if contamination originated on one property and crossed the property line, both properties will appear on the Registry. A deed restriction may also be necessary for some sites on the GIS Registry if any of the conditions listed in NR 726.05(8)(b) or (c) exist. If you have questions about the GIS Registry of Closed Contamination Sites, please contact Jane Lemcke at Jane.Lemcke@dnr.state.wi.us or at 608-267-0554.

OOPS: NOV. 18 ARCADIS CONFERENCE WAS NOT FOR THE PUBLIC

The November 11 "RR News from DNR" invited readers to a November 18 breakfast seminar, hosted by Arcadis, at which a RR Program hydrogeologist spoke. Unfortunately, DNR and Arcadis miscommunicated and because of limited space this seminar was only open to clients of Arcadis. We apologize for the mistake.